

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**CATERPILLAR FINANCIAL  
SERVICES CORPORATION**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:19-cv-295-HSO-JCG**

**HI-LO FARMS, INC., MARTHA COLE,  
COAST CONSTRUCTION, LLC AND RUSSELL RYALS**

**DEFENDANTS**

**FINAL JUDGMENT**

This matter is before the Court on the *ore tenus*, agreed motion of all parties for entry of this Final Judgment. The parties' agreed terms are set forth herein.

The Court finds that it has jurisdiction, and that the parties' agreed terms are fair and reasonable and are supported by the evidence in the record. Specifically, the Court finds that the record demonstrates that Defendants are jointly and severally liable to Plaintiff Caterpillar Financial Services Corporation ("Cat Financial") in the amount of \$116,958.04, as supported by the following itemization: \$85,787.35 for the equipment still at issue and \$31,170.69 in attorney's fees and related expenses.<sup>1</sup>

IT IS THEREFORE ORDERED AND ADJUDGED that judgment is entered against the Defendants, jointly and severally, in favor of Plaintiff, in the amount of \$116,985.04.

IT IS FURTHER ORDERED AND ADJUDGED that Cat Financial shall file a satisfaction or partial satisfaction of this Judgment within thirty days of Cat Financial selling the equipment which was returned to Cat Financial pursuant to this Court's temporary restraining order. [Dkt. No. 27].

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<sup>1</sup> The judgment amount is less than the amount sought in prior filings, as the Caterpillar D4K Track Type Tractor previously at issue has been paid off and purchased.

IT IS FURTHER ORDERED AND ADJUDGED that with the entry of this Final Judgment, this matter is finally concluded and all deadlines and settings are cancelled, with the Court retaining jurisdiction solely to enforce the terms of this Judgment.

It is SO ORDERED AND ADJUDGED, on this the 26th day of June, 2020.

s/ Halil Suleyman Ozerden

Submitted By:

/s/D. Sterling Kidd

Attorney for the Plaintiff

Agreed To:

/s/Pat Sheehan

Attorney for Martha Cole and Hi-Lo Farms, Inc.



 / Bruce Cole / Royal Construction, L.L.C.

Individually, and as Manager of Coast Construction, LLC